

REMARKS

I. Status Summary

Claims 1-2, 14-17, 20-24, 26, 29 and 30 are pending in the present application. Claims 18, 19, 25, 27, 28, and 31 have been withdrawn by the U.S. Patent and Trademark Office (hereinafter the "Patent Office"). Claims 1, 2, 14-17, 20-24, 26, 29, and 30 have been rejected by the Patent Office.

II. Summary of Telephone Examiner Interview

Applicants acknowledge with appreciation the telephone interview initiated by the Examiner with Applicants' representative, Arles Taylor, on March 17, 2009. In the Telephone Examiner Interview, the Examiner suggested that, in view of the previously filed election in response to a Restriction Requirement, applicants remove the term "tetraol" from claim 1 and also cancel withdrawn claims 18-19, 25, 27-28, and 31. According to the Examiner making these claim amendments would allow the application to pass to allowance. Applicants have implemented those changes herein.

Thus, claim 1 has been amended and claims 18-19, 25, 27-28, and 31 have been cancelled. No new matter has been added. Applicants reserve the right to file a Continuation or Divisional application on the subject matter cancelled by way of this amendment.

Reconsideration of the application in view of the remarks set forth herein below is respectfully requested.

III. Response to Rejections Under 35 U.S.C. § 102(a) by Kobayashi

Claims 1-2, 14-17, 20-24, 26, 29 and 30 have been rejected under 35 U.S.C. § 102(a) as allegedly being anticipated by Kobayashi *et al.*, Angew. Chem. Int. **441**: 761-764 (2005), hereinafter "Kobayashi." The Patent Office contends that Kobayashi published online on December 21, 2004 and that the applicants cannot rely on their priority date based on the Japanese filing (March 9, 2004) because an English translation has not been made of record.

The rejection is respectfully traversed. Applicants herein submit an English translation of JP2004-064994, along with a Statement of True Translation by Kenichiro

Akao. Thus, applicants respectfully submit that this Japanese patent filing overcomes the date of the cited Kobayashi reference. Applicants believe that the rejection is now moot and that the application is in condition for allowance. Accordingly, applicants request that the rejection under 35 U.S.C. § 102(a) be withdrawn and further ask that claims 1, 2, 14-17, 20-24, 26, 29, and 30 be allowed at this time.

CONCLUSIONS

Should there be any minor issues outstanding in this matter the Examiner is respectfully requested to telephone the undersigned attorney. Early passage of the subject application to issue is earnestly solicited.

DEPOSIT ACCOUNT

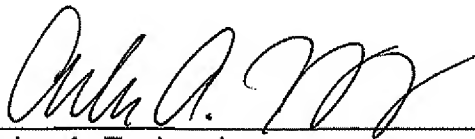
The Commissioner is hereby authorized to charge any other fees associated with the filing of this correspondence to Deposit Account Number 50-0426.

Respectfully submitted,

JENKINS, WILSON, TAYLOR & HUNT, P.A.

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By:



Arles A. Taylor, Jr.
Registration No. 39,395
Customer No. 25297
(919) 493-8000

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AAT/MCG/cam